

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA
WILKES-BARRE DIVISION**

In re:	
Randy W. Polons, Debtor,	Bankruptcy No. 5:24-bk-00794-MJC Chapter 13
CSMC 2019-RPL7 Trust, Movant,	Related to Doc. No. 37
v. Randy W. Polons, Debtor/Respondent,	
Jack N Zaharopoulos, Trustee/Respondent.	

**CSMC 2019-RPL7 TRUST'S OBJECTION TO CONFIRMATION OF
DEBTOR'S FIRST AMENDED CHAPTER 13 PLAN**

CSMC 2019-RPL7 Trust, (“CSMC”), by and through its undersigned counsel, hereby objects to the proposed Chapter 13 Plan of Debtor, Randy W. Polons, and in support thereof alleges as follows:

1. Debtor, Randy W. Polons, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on April 3, 2024.
2. CSMC holds a security interest in the Debtor's real property located 1365 Trailwood Lake Road, Wilkes-Barre, PA 18702 (the “Property”), by virtue of a Mortgage recorded with the Luzerne County Recorder of Deeds on April 19, 2007 in Instrument No. 5760094 which has ultimately been assigned to CSMC 2019-RPL7 Trust.
3. Said Mortgage secures a Note in the amount of \$66,514.78

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4. On June 11, 2024, .11-1 Secured creditor filed its Proof of Claim in the amount of \$30,015.20. A true and correct copy of the Proof of Claim (with all supporting documents) is attached hereto as Exhibit "A."
5. The Proof of Claim further sets forth and itemizes a pre-petition arrearage of \$30,015.20.
See Exhibit "A."
6. On September 4, 2024, Debtor filed a First Amended Chapter 13 Plan (the "Plan") A true and correct copy of the Plan is attached hereto as Exhibit "B."
7. The proposed Amended Plan provides for full payment at 6.60% interest. Therefore, the Plan cannot be confirmed. Interest should be paid at the Till rate.
8. Further, the Plan fails to specify who is responsible for the taxes and insurance on the property during the pendency of the Bankruptcy Plan. It must be indicated in the Plan that the Debtor acknowledges the obligation to maintain taxes and satisfactory insurance on the property and what creditor remedy is if debtor does not pay.
9. The Plan fails to meet the requirements of 11 U.S.C. § 1322(b)(3) and (b)(5) and 1325(a)(5) with respect to the Secured Creditor's claim and the subject mortgage ,and therefore, fails to meet the confirmation requirements of 11 U.S.C. § 1325(a)(1) .
10. Based on the foregoing Secured Creditor objects to the Plan.

WHEREFORE, Secured creditor CSMC 2019-RPL7 Trust, respectfully requests that this Court not confirm the Chapter 13 Plan of Debtor, Randy W. Polons.

Respectfully Submitted,

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

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Authorized Agent for Secured Creditor
13010 Morris Rd., Suite 450
Alpharetta, GA 30004
Phone: (470) 321-7112
Fax: (404) 393-1425

By: /s/Michelle L. McGowan, Esq.
Michelle L. McGowan, Esq., Esquire
Pennsylvania Bar Number 62414 PA
Email: mimcgowan@raslg.com

Date: September 18, 2024

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 18, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

Michael A. Cibik
Cibik Law, P.C.
1500 Walnut Street
Suite 900
Philadelphia, PA 19102

Jack N Zaharopoulos
Standing Chapter 13
(Trustee)
8125 Adams Drive, Suite A
Hummelstown, PA 17036

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United States Trustee
US Courthouse
1501 N. 6th St
Harrisburg, PA 17102

Randy W. Polons
554 Trailwood Lake Rd
Bear Crk Twp, PA 18702-8511

Respectfully Submitted,

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
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